



United Nations  
Educational, Scientific and  
Cultural Organization

UNESCO Bangkok  
HIV/AIDS Coordination and School Health Unit

# Compendium

Conventions and Laws Guaranteeing All Children  
the Equal Right to a Quality Education in an Inclusive Setting  
South Asia - 2 Edition



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# Foreword

This Compendium is designed to help ensure that all children, whether infected or affected by HIV, are able to realise their right to education of good quality. Inclusive education is a developmental approach seeking to address the learning needs of all learners, with a specific focus on those who are vulnerable to marginalization and exclusion. Inclusive education is concerned with responding to the needs of all learners and therefore involves changes in content, approaches, structures and strategies. At the core of inclusive education is the right to education. The right to education is not only a right in itself but also a fundamental means to realize other human rights.

The Compendium has been produced as an important tool in the struggle to reduce the detrimental effect of HIV and AIDS on the lives of children in South Asia. Throughout the region the number of people with HIV is increasing and, as a result, so is the harmful impact on families and on the lives of children. Children are being born with HIV infection; others have relatives who are ill or have already died. This too often results in these children being forced out of the education system. They become too ill to study; they are taken out of school so to care for sick relatives; or they simply can no longer afford the school fees. They are also often denied the right to study because of stigma and discrimination, where schools or communities refuse to allow them to study because of misconceptions about how the disease is spread.

This Compendium is therefore a timely initiative. HIV prevalence rates in South Asia are still low, though in absolute terms the numbers affected is high. Hopefully, this tool will ensure children infected and affected by HIV remain in the education system. The conventions, declarations and laws contained in the Compendium can be used by governments, civil society and even families to ensure that all children, no matter what their HIV status, are included in education and attend schools which are friendly.

Education for all can only be achieved if all those involved in education recognize their legal and moral responsibility towards all children excluded from schooling, for whatever reason. We hope that this Compendium will help in this process.



Sheldon Shaeffer  
Director  
UNESCO Office Bangkok/Asia and Pacific Regional Bureau for Education

# Introduction

## An Education Sector Response to HIV and AIDS within the Framework of Inclusion

Children and young people develop knowledge, values and skills in school that will guide them through life. The response of schools, communities and education authorities is therefore essential for success in the struggle against HIV and AIDS. The education sector must show leadership and courage in fighting for the rights of children infected and affected by HIV and AIDS. Schools and education authorities must educate and empower children and young people to prevent the pandemic from spreading further.

Addressing delegates at the 15th International AIDS Conference in Bangkok in 2004, Nelson Mandela said that leadership involved both personal commitment and concrete actions. Leaders had to lead the response to HIV and AIDS *“... with clear vision and imaginative action ... They must dare to be different, and they must be prepared for the course to be difficult. They will be faced with tough decisions, and they must come up with bold and innovative responses. This is what leaders are for, and the AIDS epidemic will test their leadership skills to the limits.”*

Nelson Mandela

Inclusive and child-friendly schools are designed to be responsive to the individual needs of their students. This helps them to develop the self-esteem and skills necessary to protect themselves and others against gang violence, drug addiction and sexually transmitted infections - including HIV.

In inclusive and child-friendly schools and communities, children and young people will learn to embrace diversity. They will develop empathy with children and young people who are vulnerable to marginalisation and exclusion. This will help to ensure that such children are included in their classes, schools and communities.

*“Since education shapes attitudes and values, it can also help reduce discrimination against people living with HIV/AIDS.”*

UNESCO and UNAIDS Advocacy Kit- HIV/AIDS and Education /2004

Despite numerous conventions, agreements and laws, more than 20 million primary school age children are still out of school throughout South Asia. Some children never enrol, others drop out or are expelled from schools. Often this happens without education authorities, schools and communities fully realising their legal responsibility to provide quality education for ALL children, regardless of their abilities or disabilities, their social, economical, cultural, ethnic or religious background, or their HIV and AIDS status.

*“The education system failed us when they gave up on us ...”*

Rico Gustav HIV and AIDS Activist - UNAIDS

Every year an increasing number of children throughout the world are being infected or affected by HIV and AIDS. Children, mostly young girls, are pulled out of school to take care of sick parents, siblings and other family members.

Therefore, in an effort to increase awareness of legal and moral responsibilities to ensure that ALL children have equal access to quality education, we have developed an accessible and reader-friendly Compendium on a rights-based approach to education. It is aimed at legislators, government officials, university lecturers, head teachers, teachers, student teachers, parents, education activists, and other key stakeholders. The Compendium is a collection of short versions and excerpts from relevant conventions, agreements, laws, declarations and recommendations. The full versions are available online. Most will also be available as hard copies through your national UNESCO, UNDP or UNICEF offices.

We hope this Compendium will become an important tool in creating awareness among, and encouraging responses from key stakeholders, to ensure equal access and right of ALL children to quality education and health services in an inclusive setting.

The Compendium Development Team

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# Universal Declaration of Human Rights

## Preamble

[...] Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge, Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

## Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

## Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

## Article 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

## Article 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

## Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

Inclusive education is a human right, it's good education and it makes good social sense

### HUMAN RIGHTS

1. All children have the right to learn together.
2. Children should not be devalued or discriminated against by being excluded or sent away because of their disability or learning difficulty.
3. Disabled adults, describing themselves as special school survivors, are demanding an end to segregation.
4. There are no legitimate reasons to separate children for their education. Children belong together - with advantages and benefits for everyone. They do not need to be protected from each other.

### GOOD EDUCATION

5. Research shows children do better, academically and socially, in inclusive settings.
6. There is no teaching or care in a segregated school which cannot take place in an ordinary school.
7. Given commitment and support, inclusive education is a more efficient use of educational resources.

### SOCIAL SENSE

8. Segregation teaches children to be fearful, ignorant and breeds prejudice.
9. All children need an education that will help them develop relationships and prepare them for life in the mainstream.
10. Only inclusion has the potential to reduce fear and to build friendship, respect and understanding.

[Centre for Studies on Inclusive Education;  
<http://inclusion.uwe.ac.uk/csie/10rsns.htm>]

What do human rights have to do with HIV/AIDS?

Human rights are inextricably linked with the spread and impact of HIV/AIDS on individuals and communities around the world. A lack of respect for human rights fuels the spread and exacerbates the impact of the disease, while at the same time HIV/AIDS undermines progress in the realisation of human rights. This link is apparent in the disproportionate incidence and spread of the disease among certain groups which, depending on the nature of the epidemic and the prevailing social, legal and economic conditions, include women and children, and particularly those living in poverty. It is also apparent in the fact that the overwhelming burden of the epidemic today is borne by developing countries, where the disease threatens to reverse vital achievements in human development. AIDS and poverty are now mutually reinforcing negative forces in many developing countries.

[OHCHR; <http://www.ohchr.org/english/issues/hiv/introhiv.htm>]



Full Version - English:  
<http://www.un.org/Overview/rights.html>

Other languages:  
<http://www.unhcr.ch/udhr/navigate/alpha.htm>

# Convention on the Rights of the Child

## It Is Every Child's Right

- To be born, to have a name and nationality;
- To have a family who will love and care;
- To live in a peaceful community and a wholesome environment;
- To have adequate food and a healthy and active body;
- To obtain a good education and develop my potential;
- To be given opportunities for play and leisure;
- To be protected against abuse, exploitation, neglect, violence and danger;
- To be defended and given assistance by the government;
- To be able to express my own views.

*“All children and young people of the world, with their individual strengths and weaknesses, with their hopes and expectations, have the right to an education. It is not our education system that has the right to a certain type of children. Therefore, it is the school system of a country that must be adjusted to meet the needs of all its children”*

[Bengt Lindqvist;  
UN-Special Rapporteur on Disability, 1994]

## Convention on the Right of the Child:

### Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. [...]

### Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, [...]

### Article 6

1. States Parties recognize that every child has the inherent right to life.

2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

### Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

### Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.



### Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community. [...]

### Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need; [...]

### Article 29

1. States Parties agree that the education of the child shall be directed to:

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- (e) The development of respect for the natural environment. [...]

### Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

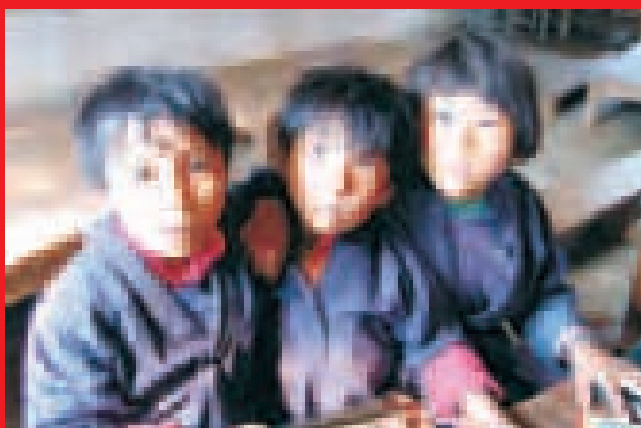
### Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. [...]

### Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.



Picture courtesy of Jannik Beyer

Full Version - English:

<http://www.ohchr.org/english/law/pdf/crc.pdf>

Full Version - Other Languages:

<http://www.unicef.org/magic/briefing/uncorc.html>

Further information:

UNHCHR: <http://www.ohchr.org/english/bodies/crc/index.htm>

UNICEF: <http://www.unicef.org/crc>

CRIN: <http://www.crin.org>

EENET: <http://www.eenet.org.uk>

# UNGASS

## Declaration of Commitment on HIV/AIDS

17. Acknowledging that prevention of HIV infection must be the mainstay of the national, regional and international response to the epidemic; and that prevention, care, support and treatment for those infected and affected by HIV/AIDS are mutually reinforcing elements of an effective response and must be integrated in a comprehensive approach to combat the epidemic;

20. Emphasizing the important role of cultural, family, ethical and religious factors in the prevention of the epidemic, and in treatment, care and support, taking into account the particularities of each country as well as the importance of respecting all human rights and fundamental freedoms;

22. Noting the importance of establishing and strengthening human resources and national health and social infrastructures [...];

23. Recognizing that effective prevention, care and treatment strategies will require behavioural changes and increased availability of and non-discriminatory access to, inter alia, vaccines, condoms, microbicides, lubricants, sterile injecting equipment, drugs including anti-retroviral therapy, diagnostics and related technologies as well as increased research and development;

31. Affirming the key role played by the family in prevention, care, support and treatment of persons affected and infected by HIV/AIDS, [...];

32. Affirming that beyond the key role played by communities, strong partnerships among Governments, the United Nations system, intergovernmental organizations, people living with HIV/AIDS and vulnerable groups, medical, scientific and educational institutions, non-governmental organizations, the business sector including generic and research-based pharmaceutical companies, trade unions, media, parliamentarians,

foundations, community organizations, faith-based organizations and traditional leaders are important;

33. Acknowledging the particular role and significant contribution of people living with HIV/AIDS, young people and civil society actors in addressing the problem of HIV/AIDS in all its aspects [...];

37. By 2003, ensure the development and implementation of multisectoral national strategies and financing plans for combating HIV/AIDS that: address the epidemic in forthright terms; confront stigma, silence and denial; address gender and age-based dimensions of the epidemic; eliminate discrimination and marginalization; involve partnerships with civil society and the business sector and the full participation of people living with HIV/AIDS, those in vulnerable groups and people mostly at risk, particularly women and young people; are resourced to the extent possible from national budgets without excluding other sources, inter alia international cooperation; fully promote and protect all human rights and fundamental freedoms, [...];

52. By 2005, ensure: that a wide range of prevention programmes which take account of local circumstances, ethics and cultural values, is available in all countries, particularly the most affected countries, including information, education and communication, in languages most understood by communities and respectful of cultures, aimed at reducing risk-taking behaviour and encouraging responsible sexual behaviour, [...]

56. By 2005, develop and make significant progress in implementing comprehensive care strategies to: strengthen family and community-based care including that provided by the informal sector, and health care systems to provide and monitor treatment to people living with HIV/AIDS,

including infected children, and to support individuals, households, families and communities affected by HIV/ AIDS; [...];

58. By 2003, enact, strengthen or enforce as appropriate legislation, regulations and other measures to eliminate all forms of discrimination against, and to ensure the full enjoyment of all human rights and fundamental freedoms by people living with HIV/AIDS and members of vulnerable groups; [...]

60. By 2005, implement measures to increase capacities of women and adolescent girls to protect themselves from the risk of HIV infection, principally through the provision of health care and health services, including sexual and reproductive health, and through prevention education that promotes gender equality within a culturally and gender sensitive framework;

62. By 2003, in order to complement prevention programmes that address activities which place individuals at risk of HIV infection, such as risky and unsafe sexual behaviour and injecting drug use, have in place in all countries strategies, policies and programmes that identify and begin to address those factors that make individuals particularly vulnerable to HIV infection, [...]

65. By 2003, develop and by 2005 implement national policies and strategies to: build and strengthen governmental, family and community capacities to provide a supportive environment for orphans and girls and boys infected and affected by HIV/AIDS including by providing appropriate counselling and psycho-social support; ensuring their enrolment in school and access to shelter, good nutrition, health and social services on an equal basis with other children; to protect orphans and vulnerable children from all forms of abuse, violence, exploitation, discrimination, trafficking and loss of inheritance;

75. By 2003, develop and begin to implement national strategies that incorporate HIV/AIDS awareness, prevention, care and treatment elements into programmes or actions that respond to emergency situations, recognizing that populations destabilized by armed conflict, humanitarian emergencies and natural disasters, including refugees, internally displaced persons and in particular, women and children, are at increased risk of exposure to HIV infection; and, where appropriate, factor HIV/AIDS components into international assistance programmes;

82. Increase and prioritize national budgetary allocations for HIV/AIDS programmes as required and ensure that adequate allocations are made by all ministries and other relevant stakeholders;



Full version:

[http://www.ungass.org/index.php/en/ungass/declaration\\_of\\_commitment/ungass\\_declaration\\_of\\_commitment](http://www.ungass.org/index.php/en/ungass/declaration_of_commitment/ungass_declaration_of_commitment)

Further information:

UNGASS: <http://www.ungass.org>

UN: <http://www.un.org/ga/aids>

<http://www.un.org/ga/aidsmeeting2006>

<http://www.un.org/issues/docs/d-aids.html>

UNAIDS: <http://www.unaids.org/en/AIDSreview2006>

# UNGASS

## Political Declaration on HIV/AIDS

18. Reaffirm our commitment to implement fully the Declaration of Commitment on HIV/AIDS, entitled “Global Crisis Global Action”, adopted by the General Assembly at its twenty-sixth special session, in 2001; and to achieve the internationally agreed development goals and objectives, including the Millennium Development Goals [...]

20. Commit ourselves to pursuing all necessary efforts to scale up nationally driven, sustainable and comprehensive responses to achieve broad multisectoral coverage for prevention, treatment, care and support, with full and active participation of people living with HIV, vulnerable groups, most affected communities, civil society and the private sector, towards the goal of universal access to comprehensive prevention programmes, treatment, care and support by 2010;

26. Commit ourselves to addressing the rising rates of HIV infection among young people to ensure an HIV-free future generation through the implementation of comprehensive, evidence-based prevention strategies, responsible sexual behaviour, including the use of condoms, evidence- and skills-based, youth-specific HIV education, mass media interventions and the provision of youth-friendly health services;

27. Commit ourselves also to ensuring that pregnant women have access to antenatal care, information, counselling and other HIV services and to increasing the availability of and access to effective treatment to women living with HIV and infants in order to reduce mother-to-child transmission of HIV, as well as to ensuring effective interventions for women living with HIV, including voluntary and confidential counselling and testing, with informed consent, access to treatment, especially life-long antiretroviral therapy and, where appropriate, breast-milk substitutes and the provision of a continuum of care;

31. Commit ourselves to strengthening legal, policy, administrative and other measures for the promotion and protection of women’s full enjoyment of all human rights and the reduction of their vulnerability to HIV/AIDS through the elimination of all forms of discrimination, as well as all types of sexual exploitation of women, girls and boys, including for commercial reasons, and all forms of violence against women and girls, including harmful traditional and customary practices, abuse, rape and other forms of sexual violence, battering and trafficking in women and girls;

32. Commit ourselves also to addressing as a priority the vulnerabilities faced by children affected by and living with HIV; providing support and rehabilitation to these children and their families, women and the elderly, particularly in their role as caregivers; promoting child-oriented HIV/AIDS policies and programmes and increased protection for children orphaned and affected by HIV/AIDS; ensuring access to treatment and intensifying efforts to develop new treatments for children; and building, where needed, and supporting the social security systems that protect them;

42. Commit ourselves also to finding appropriate solutions to overcome barriers in pricing, tariffs and trade agreements, and to making improvements to legislation, regulatory policy, procurement and supply chain management in order to accelerate and intensify access to affordable and quality HIV/AIDS prevention products, diagnostics, medicines and treatment commodities;



From: Embracing Diversity - UNESCO Toolkit for Creating Inclusive Learning-Friendly Environments [ILFE]; Booklet 6: Creating a healthy and protective ILFE

## SKILLS-BASED HEALTH EDUCATION TO PREVENT HIV/AIDS

This section describes how skills-based health education can be used to prevent HIV/AIDS and reduce the stigmatization of those affected by the disease. The activities in this section, moreover, can be adapted for use in dealing with other health problems as discussed above.

Education is the key to reducing stigma and promoting greater understanding of HIV/AIDS. Your school is an important setting for educating children about HIV/AIDS, as well as for stopping the further spread of the HIV infection. Success in doing this depends upon how well we reach children and young adults in time to promote positive health behaviours and prevent the behaviours that place young people at risk.

Our crucial responsibility is to teach young people how to avoid either contracting the infection or transmitting it to others, as well as to promote the development of HIV-related school policies. In this way, we can make important improvements in the quality of health education provided to young people in our schools, and we can take an important step towards improving the health of our communities.

A skills-based approach to HIV/AIDS uses participatory (active) learning techniques to:

- help individuals evaluate their own level of risk;
- examine their personal values and beliefs;
- decide what actions to take to protect themselves and others from HIV; and
- acquire skills that will help them to carry through on their decisions.

Skill-based health education to prevent HIV/AIDS can be linked to other relevant issues already addressed in many of our schools, including pregnancy and reproductive health, population education, family life education, and prevention of substance abuse.

What are some of the ways you can begin a skills-based programme to prevent HIV/AIDS amongst our children? Let's look at some of these in terms of activities that you and your schools can do, as well as what you can do with our children.



### Full version:

[http://data.unaids.org/pub/Report/2006/20060615\\_HLM\\_PoliticalDeclaration\\_ARES60262\\_en.pdf](http://data.unaids.org/pub/Report/2006/20060615_HLM_PoliticalDeclaration_ARES60262_en.pdf)

**Embracing Diversity - UNESCO Toolkit for Creating Inclusive, Learning-Friendly Environments:**  
<http://www2.unescobkk.org/elib/publications/032revised>

### Further information:

UNGASS: <http://www.ungass.org>

UN: <http://www.un.org/ga/aids>

<http://www.un.org/ga/aidsmeeting2006>

<http://www.un.org/issues/docs/d-aids.html>

UNAIDS: <http://www.unaids.org/en/AIDSreview2006>



# HIV and AIDS

## UNESCO

<http://www.unesco.org/aids>

## UNESCO Bangkok

<http://www.unescobkk.org/hivaids>

## UNAIDS

<http://www.unaids.org>

HIV prevention, like treatment, is for life. Instead of short-term or isolated prevention initiatives, effective national programmes need to sustain essential programmatic and policy actions at a sufficient scale over the long term, adapting them as the epidemic evolves, responding to changes in infection patterns and social environments. [UNAIDS; 2006 Report; p. 124]

Education has a documented impact on the pandemic. A study in 32 countries found that literate women were 4 times more likely than illiterate ones to know the main ways to avoid HIV/AIDS. [...] Schools can play an active role in mitigating the spread of the disease by providing reliable information and counselling, and taking measures to prolong girls' education. [UNESCO; EFA Global Monitoring Report 2006 - Summary; p. 8]

## What is HIV and AIDS

HIV stands for Human Immunodeficiency Virus. This is the virus known to cause AIDS (Acquired Immune Deficiency Syndrome). If someone is HIV-positive, it means they have been infected with the virus. A person infected with HIV does not have AIDS until the virus seriously damages their

immune system, making them vulnerable to a range of infections, some of which can lead to death. HIV is transmitted through body fluids in particular blood, semen, vaginal secretions and breast milk.

## Only 4 ways you can become HIV positive

1. unprotected sexual intercourse with an infected partner (the most common);
2. sharing needles or other contaminated injection or skin-piercing equipment;
3. blood and blood products through, for example, infected transfusions and organ or tissue transplants;
4. transmission from infected mother to child in the womb or at birth and breastfeeding.

## You cannot get HIV by

1. Shaking hands
2. Sharing cutlery
3. Hugging each other
4. Drinking from the work fountain
5. Using the same cup
6. Being a friend
7. Playing together
8. Learning together / going to the same school

As the UN specialised agency for education, UNESCO supports lifelong learning that builds and maintains essential skills, competencies, knowledge, behaviours and attitudes. This includes learning in formal educational settings [...]; through non-formal educational activities [...]; and through informal education through family and neighbours, work and play, the marketplace, the mass media and other resources found in the learners' environment.

The priority that UNESCO has given to education is based on the evidence that education - especially education on prevention - contributes toward the knowledge and skills essential for the prevention of HIV and protects individuals, families, communities, institutions and nations from the impact of AIDS. Education also helps to overcome the conditions that facilitate the spread of HIV, including poverty, ill-health, gender inequality, violence and abuse, particularly against girls and women. Beyond this, education can create the conditions of understanding, respect and tolerance - all of which contribute to reduced stigma and discrimination against vulnerable and marginalised communities and people living with HIV.

AIDS is among the key factors exerting pressure on education systems, particularly in countries in transition and least developed countries, as well as on the abilities of learners to access and complete education. While progress has been made in recent years in efforts to achieve Education for All (EFA), about 77 million children are still not enrolled in primary school, 55 percent of them girls. There is growing recognition that efforts aimed at achieving the EFA goal of universal primary education (EFA Goal 2) must be strongly linked with interventions supporting gender equality in education (EFA Goal 5); addressing the educational needs of young people and adults through appropriate learning and life skills programmes (EFA Goal 3); and reducing illiteracy, -particularly among women (EFA Goal 4).

There is also growing recognition among partners that EFA cannot be achieved without a much stronger overarching focus on HIV and AIDS. As a result, the Working Group on EFA had a session in its July 2006 meeting to discuss strategies to scale up and enhance attention to HIV and AIDS within the EFA framework. Ministers, top-officials of multilateral and

bilateral agencies, and leaders of civil society organizations reaffirmed the *"central role of education in enabling individuals, communities and nations to respond effectively to the challenges of HIV and AIDS, and in enabling learners to protect themselves and others from HIV"* at the High-Level Group on EFA in Cairo, Egypt in November 2006. [...]

UNESCO's Executive Board has included EDUCAIDS, the UNESCO-led UNAIDS Global Initiative on Education and HIV & AIDS, as one of three core priority initiatives within EFA, acknowledging the importance of comprehensive education sector engagement as part of the national response to HIV and AIDS. EDUCAIDS links with these core initiatives for maximum synergy and impact.

Through EDUCAIDS, UNESCO and its partners support countries to implement comprehensive, scaled-up educational programmes on HIV and AIDS that cover: content, curriculum and learning materials; educator training and support; policy management and systems; and that ensure quality and the full utilisation of approaches and entry points, through both formal and non-formal education. Its aims are promoted through greater collaboration among UNAIDS Cosponsors and key stakeholders, including national authorities, ministries [...], bilateral agencies and civil society groups at the country level.

Recent research through a 'global readiness survey' of national education sector capacity to respond to the epidemic, undertaken in over 70 countries, demonstrates that encouraging progress has been made, but much more is still required. For example, the study revealed that while nearly three-quarters of the participating ministries of education have dedicated HIV and AIDS management structures in place, only one-third have adopted a sector-specific HIV and AIDS policy. Moreover, national education sector responses continue to emphasise HIV prevention, with comparatively little attention to issues of treatment, care and support, workplace issues, and management of the impact of HIV and AIDS.

In order to achieve the maximum effectiveness of educational efforts on HIV and AIDS, holistic approaches are required along a continuum from prevention to treatment, care and support. [...]

# Convention against Discrimination in Education

## Article 1

1. For the purpose of this Convention, the term "discrimination" includes any distinction, exclusion, limitation or reference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education and in particular:

- (a) Of depriving any person or group of persons of access to education of any type or at any level;
- (b) Of limiting any person or group of persons to education of an inferior standard;
- (c) Subject to the provisions of article 2 of this Convention, of establishing or maintaining separate educational systems or institutions for persons or groups of persons; or
- (d) Of inflicting on any person or group of persons conditions which are incompatible with the dignity of man. [...]

## Article 2

When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of article 1 of this Convention:

- (a) The establishment or maintenance of separate educational systems or institutions for pupils of the two sexes, if these systems or institutions offer equivalent access to education, provide a teaching staff with qualifications of the same standard as well as school premises and equipment of the same quality, and afford the opportunity to take the same or equivalent courses of study;
- (b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in

particular for education of the same level;

- (c) The establishment or maintenance of private educational institutions, if the object of the institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authorities, if the institutions are conducted in accordance with that object, and if the education provided conforms with such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.

## Article 3

In order to eliminate and prevent discrimination within the meaning of this Convention, the States Parties thereto undertake:

- (a) To abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education;
- (b) To ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions;
- (c) Not to allow any differences of treatment by the public authorities between nationals, except on the basis of merit or need, in the matter of school fees and the grant of scholarships or other forms of assistance to pupils and necessary permits and facilities for the pursuit of studies in foreign countries;
- (d) Not to allow, in any form of assistance granted by the public authorities to educational institutions, any restrictions or preference based solely on the ground that pupils belong to a particular group;
- (e) To give foreign nationals resident within their territory the same access to education as that given to their own nationals.

## Article 4

The States Parties to this Convention undertake furthermore to formulate, develop and apply a national policy which, by methods appropriate to the circumstances

and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education and in particular:

- a. To make primary education free and compulsory; make secondary education in its different forms generally available and accessible to all; make higher education equally accessible to all on the basis of individual capacity; assure compliance by all with the obligation to attend school prescribed by law;
- b. To ensure that the standards of education are equivalent in all public education institutions of the same level, and that the conditions relating to the quality of education provided are also equivalent;
- c. To encourage and intensify by appropriate methods the education of persons who have not received any primary education or who have not completed the entire primary education course and the continuation of their education on the basis of individual capacity;
- d. To provide training for the teaching profession without discrimination.

## Article 5

1. The States Parties to this Convention agree that:

- (a) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms; it shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace;
- (b) It is essential to respect the liberty of parents and, where applicable, of legal guardians, firstly to choose for their children institutions other than those maintained by the public authorities but conforming to such minimum educational standards as may be laid down or approved by the competent authorities and, secondly, to ensure in a manner consistent with the procedures followed in the State for the application of its legislation, the religious and moral education

of the children in conformity with their own convictions; and no person or group of persons should be compelled to receive religious instruction inconsistent with his or their conviction;

(c) It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use or the teaching of their own language, [...]

*“At the heart of inclusive education is the right to education. Inclusive education is no more and no less than implementing the right to non-discrimination to and in education as laid down in the Universal Declaration of Human Rights (1948), reiterated by the Convention on the Rights of the Child (1989), the Salamanca Statement (1994) and the Dakar Framework for Action (2000). Every person has the right to belong to mainstream society, mainstream development and therefore to mainstream education! The question is whether we are ready to face the implications of such a position.”*

[Els Heijnen; International Symposium on Inclusion and the Removal of Barriers to Learning, Participation and Development - 09/2005]



Picture courtesy of IDP Norway

Full version:

[http://www.unesco.org/education/pdf/DISCRI\\_E.PDF](http://www.unesco.org/education/pdf/DISCRI_E.PDF)

Further information:

UNESCO: <http://portal.unesco.org/education>

EENET: <http://www.eenet.org.uk>



# World Declaration on Education for All

## Meeting Basic Learning Needs

Every person - child, youth and adult - shall be able to benefit from educational opportunities designed to meet their basic learning needs.

## Shaping The Vision

To serve the basic learning needs of all requires more than a recommitment to basic education as it now exists. What is needed is an "expanded vision" that surpasses present resource levels, institutional structures, curricula, and conventional delivery systems while building on the best in current practices.

## Universalising Access And Promoting Equity

Basic education should be provided to all children, youth and adults.

## Focussing On Learning

Whether or not expanded educational opportunities will translate into meaningful development - for an individual or for society - depends ultimately on whether people actually learn as a result of those opportunities, i.e., whether they incorporate useful knowledge, reasoning ability, skills, and values.

## Broadening The Means And Scope Of Basic Education

Learning begins at birth.

- The main delivery system for the basic education of children outside the family is primary schooling.
- The basic learning needs of youth and adults are diverse and should be met through a variety of delivery systems.
- All available instruments and channels of information, communications, and social action could be used to help convey essential knowledge and inform and educate people on social issues.

## Enhancing The Environment For Learning

Learning does not take place in isolation. Societies, therefore, must ensure that all learners receive the nutrition, health care, and general physical and emotional support they need in order to participate actively in and benefit from their education.

## Strengthening Partnerships

National, regional, and local educational authorities have a unique obligation to provide basic education for all, but they cannot be expected to supply every human, financial or organizational requirement for this task. New and revitalized partnerships at all levels will be necessary:

## Developing A Supportive Policy Context

Supportive policies in the social, cultural, and economic sectors are required in order to realize the full provision and utilization of basic education for individual and societal improvement.

## Mobilising Resources

If the basic learning needs of all are to be met through a much broader scope of action than in the past, it will be essential to mobilize existing and new financial and human resources, public, private and voluntary.

## Strengthening International Solidarity

Meeting basic learning needs constitutes a common and universal human responsibility. It requires international solidarity and equitable and fair economic relations in order to redress existing economic disparities.



## From the Introduction of: Education in a Multilingual World

UNESCO Education Position Paper; 2003

[<http://unesdoc.unesco.org/images/0012/001297/129728e.pdf>]

[...] Language and, in particular, the choice of language of instruction in education is one such concern and often invokes contrasting and deeply felt positions. Questions of identity, nationhood and power are closely linked to the use of specific languages in the classroom. Language itself, moreover, possesses its own dynamics and is constantly undergoing processes of both continuity and change, impacting upon the communication modes of different societies as it evolves. Educational policy makers have difficult decisions to make with regard to languages, schooling and the curriculum in which the technical and the political often overlap. While there are strong educational arguments in favour of mother tongue (or first language) instruction, a careful balance also needs to be made between enabling people to use local languages in learning, and providing access to global languages of communication through education. The purpose of this position paper, therefore, is to consider some of the central issues concerning languages and education and to provide related guidelines and principles. In doing so we are conscious of the need for a clear statement on language policy in relation to education, particularly within the context of Education for All and in terms of the Dakar goals of ensuring that by 2015 all children have access to quality primary education and that there is a 50 per cent increase in adult literacy by the year 2015.

In 1953 UNESCO published the expert report on The Use of Vernacular Languages in Education and this continues to be the most frequently cited UNESCO document on language issues in education. Significant changes have taken place over the past fifty years, however: there have been profound political transformations leading to new language policies especially in postcolonial

and newly independent countries; many hundreds of languages have disappeared throughout the world and many more remain endangered; migratory movements on a mass scale have brought new and varied languages to other countries and continents; the internet has dramatically affected the way in which language and languages are used for communication and indeed for learning; and rapidly accelerating globalization increasingly challenges the continued existence of many small, local identities frequently based on language. The time has come, therefore, for UNESCO to reconsider its position on languages and education.

This position paper is divided into three separate parts. In Part I, we present the key concepts [...] In Part II, we present a synthesis of the normative framework for languages and education based, [...] Part III of the position paper provides a synthesis of the many discussions and agreements on language issues that have been adopted under the auspices of both the United Nations and UNESCO. [...]



Full version:

[http://www.unesco.org/education/efa/ed\\_for\\_all/background/jomtien\\_declaration.shtml](http://www.unesco.org/education/efa/ed_for_all/background/jomtien_declaration.shtml)

Further information:

UNESCO: <http://www.unesco.org>

UNESCO Bangkok: <http://www.unescobkk.org>

EENET: <http://www.eenet.org.uk>

# Salamanca Statement and Framework for Action on Special Needs Education

## Statement

### Article 2

We believe and proclaim that :

- every child has a fundamental right to education, and must be given the opportunity to achieve and maintain an acceptable level of learning,
- every child has unique characteristics, interests, abilities and learning needs,
- education systems should be designed and educational programmes implemented to take into account the wide diversity of these characteristics and needs,
- those with special educational needs must have access to regular schools which should accommodate them within a child centred pedagogy capable of meeting these needs,
- regular schools with this inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all; more over, they provide an effective education to the majority of children and improve the efficiency and ultimately the cost-effectiveness of the entire education system.

### Article 3

We call upon all governments and urge them to:

- give the highest policy and budgetary priority to improve their education systems to enable them to include all children regardless of individual differences or difficulties,
- adopt as a matter of law or policy the principle of inclusive education, enrolling all children in regular schools, unless there are compelling reasons for doing otherwise, develop demonstration projects and encourage exchanges with countries having experience with inclusive schools,
- establish decentralized and participatory mechanisms for planning, monitoring and evaluating educational provision for

children and adults with special education needs,

- encourage and facilitate the participation of parents, communities and organization of persons with disabilities in the planning and decision-making processes concerning provision for special educational needs,
- invest greater effort in early identification and intervention strategies, as well as in vocational aspects of inclusive education,
- ensure that, in the context of a systemic change, teacher education programmes, both pre-service and in-service, address the provision of special needs education in inclusive schools.

## Framework for Action

### Article 3

The guiding principle that informs this Framework is that schools should accommodate all children regardless of their physical, intellectual, social, emotional, linguistic or other conditions. This should include disabled and gifted children, street and working children, children from remote or nomadic populations, children from linguistic, ethnic or cultural minorities and children from other disadvantaged or marginalized areas or groups. These conditions create a range of different challenges to school systems. In the context of this Framework, the term 'special educational needs' refers to all those children and youth whose needs arise from disabilities or learning difficulties. Many children experience learning difficulties and thus have special educational needs at some time during their schooling. Schools have to find ways of successfully educating all children, including those who have serious disadvantages and disabilities. There is an emerging consensus that children and youth with special educational needs should be included in the educational arrangements made for the majority of children. This has

led to the concept of the inclusive school. The challenge confronting the inclusive school is that of developing a child-centred pedagogy capable of successfully educating all children, including those who have serious disadvantages and disabilities. [...]

#### Article 4

[...] It assumes that human differences are normal and that learning must accordingly be adapted to the needs of the child rather than the child fitted to preordained assumptions regarding the pace and nature of the learning process. A child-centred pedagogy is beneficial to all students and, as a consequence, to society as a whole. [...] it can substantially reduce the drop-out and repetition [...], while ensuring higher average levels of achievement. [...] Child-centred schools are, moreover, the training ground for a people-oriented society that respects both the differences and the dignity of all human beings.

#### Article 6

[...] Inclusion and participation are essential to human dignity and to the enjoyment and exercise of human rights. [...]

#### Article 7

The fundamental principle of the inclusive school is that all children should learn together, wherever possible, regardless of any difficulties or differences they may have. Inclusive schools must recognize and respond to the diverse needs of their students, [...]

#### Article 10

[...] Experience, moreover, suggests that inclusive schools, serving all of the children in a community, are most successful in eliciting community support and in finding imaginative and innovative ways of using the limited resources that are available.

#### Article 18

Educational policies at all levels, from the national to the local, should stipulate that a child with a disability should attend the neighbourhood school that is, the school that would be attended if the child did not have a disability. [...]

*"I've come to the frightening conclusion that I am the decisive element in the classroom. It's my personal approach that creates the climate. It's my daily mood that makes the weather. As a teacher, I have a tremendous power to make a child's life miserable or joyous. I can be a tool of torture or an instrument of inspiration. I can humiliate or honour, hurt or heal. In all situations, it is my response that decides whether a crisis will be escalated or de-escalated and a child humanised or dehumanised."*

Ginnot

*"... we already have enough knowledge to develop schools that can be successful in educating all children. The big question is, do we have the will to make it happen?"*

Mel Ainscow, University of Manchester



Picture courtesy of Simon Baker

Full version - English:

[http://www.unesco.org/education/pdf/SALAMA\\_E.PDF](http://www.unesco.org/education/pdf/SALAMA_E.PDF)

Further information:

UNESCO: <http://www.unesco.org>

EENET: <http://www.eenet.org.uk/newsletters/news8/news8.shtml>

# The Dakar Framework - Education For All

## Article 3

[...] It is an education geared to tapping each individual's talents and potential, and developing learners' personalities, so that they can improve their lives and transform their societies.

## Article 6

Education is a fundamental human right. [...]

## Article 7

We hereby collectively commit ourselves to the attainment of the following goals:

- (i) expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children;
- (ii) ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete, free and compulsory primary education of good quality;
- (iii) ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life-skills programmes;
- (iv) achieving a 50 per cent improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults;
- (v) eliminating gender disparities in primary and secondary education by 2005, and achieving gender equality in education by 2015, with a focus on ensuring girls' full and equal access to and achievement in basic education of good quality;
- (vi) improving all aspects of the quality of education [...].

## Article 8

To achieve these goals, we the governments, organizations, agencies, groups and associations represented at the World Education Forum pledge ourselves to: [...]

- (vii) implement as a matter of urgency education programmes and actions to combat the HIV/AIDS pandemic; [...]

## Article 15

Implementation of the preceding goals and strategies will require national, regional and international mechanisms to be galvanized immediately. To be most effective these mechanisms will be participatory and, wherever possible, build on what already exists. [...]

## Article 16

The heart of EFA activity lies at the country level. National EFA Forums will be strengthened or established to support the achievement of EFA. All relevant ministries and national civil society organizations will be systematically represented in these Forums. [...] Countries will prepare comprehensive National EFA Plans [...] goals; (within the national development planning framework and process.

## Article 27

The threat posed by HIV/AIDS to the achievement of EFA goals and to development more broadly, especially in sub-Saharan Africa, presents an enormous challenge. The terrifying impact of HIV/AIDS on educational demand, supply and quality requires explicit and immediate attention in national policy-making and planning. Programmes to control and reduce the spread of the virus must make maximum use of education's potential to transmit messages on prevention and to change attitudes and behaviours.

## Article 62

The HIV/AIDS pandemic is undermining progress towards Education for All in many parts of the world by seriously affecting educational demand, supply and quality. This situation requires the urgent attention of governments, civil society and the international community. Education systems must go through significant changes if they are to survive the impact of HIV/AIDS and counter its spread, especially in response to the impact on teacher supply and student



demand. To achieve EFA goals will necessitate putting HIV/AIDS as the highest priority in the most affected countries, with strong, sustained political commitment; mainstreaming HIV/AIDS perspectives in all aspects of policy; redesigning teacher training and curricula; and significantly enhancing resources to these efforts.

### Article 63

The decade has shown that the pandemic has had, and will increasingly have, a devastating effect on education systems, teachers and learners, with a particularly adverse impact on girls. Stigma and poverty brought about by HIV/AIDS are creating new social castes of children excluded from education and adults with reduced livelihood opportunities. A rights-based response to HIV/AIDS mitigation and ongoing monitoring impact of the pandemic on EFA goals are essential. This response should include appropriate legislation and administrative actions to ensure the right of HIV/AIDS affected people to receive education and to combat discrimination within the education sector.

### Article 64

Education institutions and structures should create a safe and supportive environment for children and young people in a world with HIV/AIDS, and strengthen their protection from sexual abuse and other forms of exploitation. Flexible non-formal approaches should be adopted to reach children and adults infected and affected by HIV/AIDS, with particular attention to AIDS orphans. Curricula based on life-skills approaches should include all aspects of HIV/AIDS care and prevention. Parents and communities should also benefit from HIV/AIDS-related programmes. Teachers must be adequately trained, both in-service and pre-service, in providing HIV/AIDS education, and teachers affected by the pandemic should be supported at all levels.

### Out-of-School Children: How Many And Who Are They?

[EFA Global Monitoring Report 2007, p. 3]

Progress is being made in reducing the number of primary school-age children who are not enrolled in school. Between 1999 and 2004 the number fell by around 21 million to 77 million. This is still very high, unacceptably so. Sub-Saharan Africa, and South and West Asia are home to more than three-quarters of these children, although the latter region halved its number between 1999 and 2004, mainly due to reductions in India. The global estimate, high though it is, understates the problem: data from household surveys show that many children enrolled in school do not attend regularly.

The children most likely to be out of school and to drop out live in rural areas and come from the poorest households. On average, a child whose mother has no education is twice as likely to be out of school as one whose mother has some education.



Full version:

[http://www.unesco.org/education/efa/ed\\_for\\_all/background/jomtien\\_declaration.shtml](http://www.unesco.org/education/efa/ed_for_all/background/jomtien_declaration.shtml)

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EENET: <http://www.eenet.org.uk>

IDP Norway: <http://www.idp-europe.org>



# Millennium Development Goals

All UN member states declared that by 2005 the following goals will be realised:

## Goal 1: Eradicate extreme poverty and hunger

- Reduce by half the proportion of people living on less than a dollar a day
- Reduce by half the proportion of people who suffer from hunger

## Goal 2: Achieve universal primary education

- Ensure that all boys and girls complete a full course of primary schooling

## Goal 3: Promote gender equality and empowerment of women

- Eliminate gender disparity in primary and secondary education preferably by 2005, and at all levels by 2015

## Goal 4: Reduce child mortality

- Reduce by two thirds the mortality rate among children under five

## Goal 5: Improve maternal health

- Reduce by three quarters the maternal mortality ratio

## Goal 6: Combat HIV/AIDS, malaria and other diseases

- Halt and begin to reverse the spread of HIV/AIDS
- Halt and begin to reverse the incidence of malaria and other major diseases

## Goal 7: Ensure environmental sustainability

- Integrate the principles of sustainable development into country policies and programmes; reverse loss of environmental resources
- Reduce by half the proportion of people without sustainable access to safe drinking water
- Achieve significant improvement in lives of at least 100 million slum dwellers, by 2020

## Goal 8: Development a global partnership for development

- Develop further an open trading and financial system that is rule-based, predictable and non-discriminatory, includes a commitment to good governance, development and poverty reduction nationally and internationally
- Address the least developed countries' special needs. This includes tariff- and quota-free access for their exports; enhanced debt relief for heavily indebted poor countries; cancellation of official bilateral debt; and more generous official development assistance for countries committed to poverty reduction
- Address the special needs of landlocked and small island developing States
- Deal comprehensively with developing countries' debt problems through national and international measures to make debt sustainable in the long term
- In cooperation with the developing countries, develop decent and productive work for youth
- In cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries
- In cooperation with the private sector, make available the benefits of new technologies especially information and communications technologies

Preface by the UN Secretary-General Kofi Annan for the 2006 Report on the Global AIDS Epidemic by UNAIDS  
[[http://www.unaids.org/en/HIV\\_data/2006GlobalReport](http://www.unaids.org/en/HIV_data/2006GlobalReport)]

This year marks a quarter century since the first cases of AIDS were reported. In that time, AIDS has fundamentally changed our world—killing more than 25 million men and women, orphaning millions of children, exacerbating poverty and hunger, and, in some countries, even reversing human development altogether. Nearly 40 million people are living with HIV today—half of them women. What was first reported as a few cases of a mystery illness is now a pandemic that poses among the greatest threats to global progress in the 21st century.

After a tragically late and slow start, the world's response has gathered strength—as we saw at the United Nations General Assembly Special Session on HIV/AIDS five years ago. Since then, there has been remarkable progress in rallying political leadership, mobilizing financial and technical resources, bringing lifesaving antiretroviral treatment to people the world over, and even reversing the spread in some of the world's poorest nations.

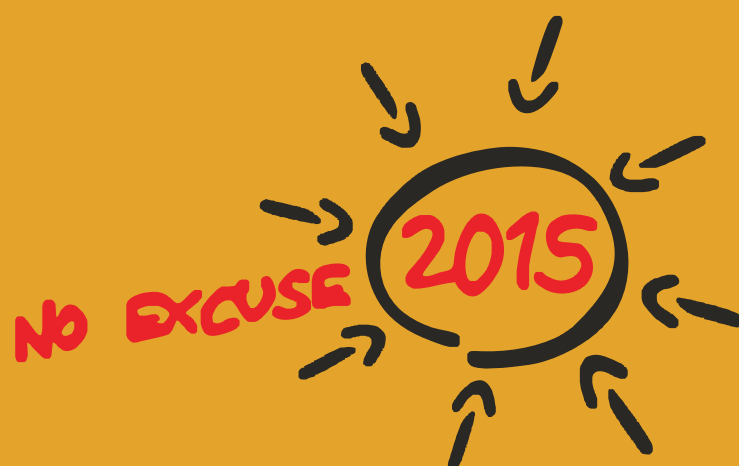
It is my hope that the General Assembly 2006 High Level Meeting on AIDS—a key follow-up to the Special Session—will help move the response to AIDS to yet another level: effectively containing and reversing the pandemic. That means doing much more than simply redoubling our current efforts. We need a far greater commitment of political will, courage and resources: we need united action on a new scale. The only acceptable goal for the world is to stop and, ultimately, put an end to AIDS. Only then will we achieve the Millennium Development Goals and succeed in our efforts to build a humane, healthy and equitable world.

From the Summary of the EFA Global Monitoring Report 2007 by UNESCO  
[<http://www.efareport.unesco.org>]

### Gender Parity: Still Not A Reality

There are now 94 girls in primary school for every 100 boys, up from 92 in 1999. Of the 181 countries with 2004 data available, about two-thirds have achieved gender parity in primary education. The primary education gender gap in favour of boys has closed in only four of the twenty-six countries that had gross enrolment ratios below 90% in 2000.

Only one-third of the 177 countries with data available on secondary education have achieved parity. At this level disparities are in favour of girls as often as boys. At tertiary level, gender parity exists in only five countries out of 148 with data in 2004. Gender equality also remains an issue, with stereotypes persisting in learning materials and, too often, teachers' expectations of girls and boys differing.



For further information please visit:

UN: <http://www.un.org/millenniumgoals>

UNDP: <http://www.undp.org/mdg>

UNAIDS: <http://www.unaids.org/>

# Recommendations of the International Symposium Barriers to Learning, Participation and Development

Taking account of national, regional and international obligations and commitments regarding the equal rights of children, the participants recommend that inclusive and child friendly education should be seen as:

- An approach to whole school improvement that will ensure that national strategies for 'Education for All' are really for all;
- A means of ensuring that all children receive quality care and education in their home communities as part of early child development, pre-school, primary and secondary education programmes, particularly those who are currently excluded from mainstream education or vulnerable to marginalisation and exclusion; and
- A contribution to the development of a society that respects and values the individual differences of all citizens.

This being the case, more than 500 participants from thirty countries attending this international symposium make the following recommendations for further enhancement of education systems in Asia and beyond:

1. Inclusion should be seen as a fundamental principle that provides the basis of all national policies
2. The concept of quality should focus on the social, emotional and physical development, as well as the academic achievements of children
3. National assessment and evaluation systems need to be revised in relation to the principle of non-discrimination and inclusion and the concept of quality mentioned above
4. Adults should respect and value all children, irrespective of their individual characteristics and circumstances, and take their views into account
5. All ministries should work together to develop common strategies towards inclusion
6. To ensure Education for All through the child friendly school (CFS) framework, the issue of non-discrimination and inclusion must be addressed in all dimensions of CFS, with coordinated and shared efforts between government and non-government organisations, donors, communities, local groups, parents, children and the private sector
7. All governments, and international and non-governmental organisations, should collaborate and co-ordinate their efforts to achieve sustainable development of inclusive communities and learning-friendly environments for all children
8. Governments should consider the social and economic implications of not educating all children, and should therefore include all school age children in their Education Management Information Systems (EMIS)
9. Pre- and in-service teacher education programmes should be revised in order to support the development of inclusive practices from early pre-school age and up with emphasis on a holistic understanding of child development and learning including early intervention
10. Governments (central, provincial and district) and schools should establish and sustain a dialogue with communities, including parents, about the value of a non-discriminatory and inclusive education system

The implication of these recommendations is that the principle of inclusion must be the basis of all strategies for raising standards within (formal and non-formal) education systems, developing child-friendly schools and, therefore, achieving Education for All. This must involve other agencies providing services to children and their families, such

as health and social authorities and organisations supporting at risk groups. It also requires a continued commitment to incountry and regional networking.

## Grounds for discrimination against Children

Source : Implementation Handbook for the Convention on the Rights of the Child; UNICEF 2002; p.28

- gender
- disability
- race, xenophobia and racism
- ethnic origin
- sexual orientation
- particular castes, tribes
- “untouchability”
- language
- children not registered at birth
- children born a twin
- children born on an unlucky day
- children born in the breech position
- children born in abnormal conditions
- a “one child” or “three child” policy
- orphans
- place of residence
  - distinction between different provinces/territories/states, etc.
  - rural (including rural exodus)
  - urban
  - children living in slums
  - children in remote areas and remote islands
  - displaced children
  - homeless children
  - abandoned children
  - children placed in alternative care
  - ethnic minority children placed in alternative care
  - institutionalized children
  - children living and/or working in the streets
- children involved in juvenile justice system
  - in particular, children whose liberty is restricted
- children affected by armed conflict
- working children
- children subjected to violence
- child beggars
- children affected by HIV/AIDS
- children of parents with HIV/AIDS
- young single mothers
- minorities, including
  - Roma children/gypsies/travellers/nomadic children
  - children of indigenous communities
- non-nationals, including
  - immigrant children
  - illegal immigrants
  - children of migrant workers
  - refugees/asylum-seekers
    - including unaccompanied refugees
- children affected by natural disasters
- children living in poverty/extreme poverty
- unequal distribution of national wealth
- social status/social disadvantage/social disparities
- children affected by economic problems/changes
- economic status of parents causing racial segregation at school
- parental property
- parents’ religion
- religion-based personal status laws
- non-marital children (children born out of wedlock)
- children of single-parent families
- children in incestuous unions
- children of marriages between people of different ethnic/religious groups or nationalities



### Further information:

UNESCO Bangkok: <http://www.unescobkk.org/ie>

IDP Norway: <http://www.idp-europe.org/symposium>

IDP Norway: <http://www.idp-europe.org/eenet>

# Inclusion

## IDDC Seminar on Inclusive Education

[http://www.eenet.org.uk/theory\\_practice/agra/agra.shtml](http://www.eenet.org.uk/theory_practice/agra/agra.shtml)

## Inclusive Education - Where there are few resources

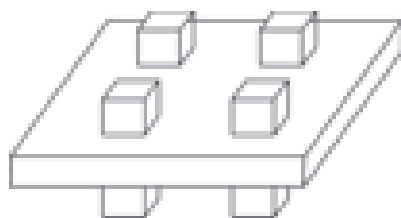
[http://www.eenet.org.uk/theory\\_practice/ie\\_few\\_resources.pdf](http://www.eenet.org.uk/theory_practice/ie_few_resources.pdf)

“In a school moving Towards Inclusion quality education should be provided in a child and learning friendly environment, where diversity is experienced, embraced and recognised as enrichment for all involved. Curricula, and teaching approaches and methods should be characterised by emphasising social aspects of learning, dialogue, sensitivity to children’s needs and interests, sharing - rather than competing and creative and flexible teachers and classroom management. All children, also children experiencing barriers to learning, development and participation, including children with disabilities, have the right for quality education in a school that is close to their home and a class that suits their age.”  
[By Miriam Donath Skjørten, 2005]

## Special Education

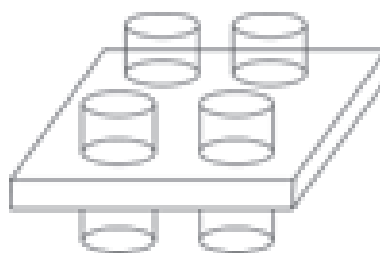
### Special Education

- Special child;
- Square pegs for square holes;
- Special teacher;
- Special school.



### ‘Normal Education’

- Normal child;
- Round pegs for round holes;
- Normal teachers;
- Normal schools.

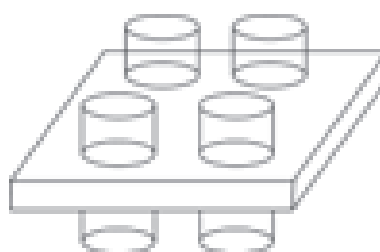


## Integrated Education

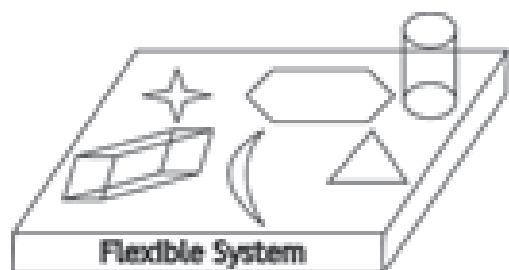
- Change the child to fit the system;
- Make the square peg round.



Therapy  
Rehabilitation



## Inclusive Education



- Children are different;
- All children can learn;
- Different abilities, ethnic groups, size, age, background, gender;
- Change the system to fit the child.



## From the Introduction Booklet of Embracing Diversity: UNESCO Toolkit for Creating Inclusive, Learning-Friendly Environments

An inclusive, learning-friendly environment (ILFE) welcomes, nurtures, and educates all children regardless of their gender, physical, intellectual, social, emotional, linguistic, or other characteristics. They may be disabled or gifted children, street or working children, children of remote or nomadic peoples, children from linguistic, ethnic or cultural minorities, children affected by HIV/AIDS, or children from other disadvantaged or marginalized areas or groups.

# Child Friendly Schools

## Embracing Diversity: UNESCO Toolkit for Creating Inclusive, Learning-Friendly Environments

<http://www2.unescobkk.org/elib/publications/032revised>

### Pro-Actively Inclusive

- Pro-actively seeking all children who are excluded from education
- Promoting the rights and well-being of All children in the community
- Respecting diversity and ensuring equality of opportunities
- Providing education that is free and compulsory, affordable and accessible

### Healthy, Safe and Protective

- Clean sanitary facilities
- Access to clean drinking water
- No corporal punishment or bullying
- HIV and AIDS prevention and non-discrimination of children affected/infected by HIV and AIDS

### Community Participation

- Family Focused:
  - Working to strengthen the family as a child's primary caregiver and educator
  - Helping children, parents and teachers establish harmonious, collaborative relationships
- Community Based:
  - Encouraging local partnership in education
  - Acting in and with the community for the sake of children

### Effective and Child-Centred

- Acting in the best interest of the child
- Concerned about the whole 'child': health, nutritional status and well-being
- Concerned about what happened to children before they enter school and after they leave school
- Creative classroom methods

### Gender Responsive

- Promoting gender equality in enrolment and achievement
- Not just equal numbers, but equity in content
- Eliminating gender stereotypes
- Guaranteeing girl-friendly facilities, curricula, textbooks and teaching

### Child-Friendly Systems

- Child friendly policies and regulations
- Flexible curricula
- Child friendly assessment and examination systems
- Guaranteeing access for all children to the neighbourhood school
- Collaboration between education, health and welfare systems

# The Standard Rules on the Equalization of Opportunities for Persons with Disabilities

## Rule 1: Awareness-raising

States should take action to raise awareness in society about persons with disabilities, their rights, their needs, their potential and their contribution.

## Rule 2: Medical care

States should ensure the provision of effective medical care to persons with disabilities.

## Rule 3: Rehabilitation

States should ensure the provision of rehabilitation services to persons with disabilities in order for them to reach and sustain their optimum level of independence and functioning.

## Rule 4: Support services

States should ensure the development and supply of support services, including assistive devices for persons with disabilities, to assist them to increase their level of independence in their daily living and to exercise their rights.

## Rule 5: Accessibility

States should recognize the overall importance of accessibility in the process of the equalization of opportunities in all spheres of society. For persons with disabilities of any kind, States should (a) introduce programmes of action to make the physical environment accessible; and (b) undertake measures to provide access to information and communication.

## Rule 6: Education

States should recognize the principle of equal primary, secondary and tertiary educational opportunities for children, youth and adults with disabilities, in integrated settings. They should ensure that the education of persons with disabilities is an integral part of the educational system.

## Rule 7: Employment

States should recognize the principle that persons with disabilities must be empowered to exercise their human rights, particularly in the field of employment. In both rural and urban areas they must have equal opportunities for productive and gainful employment in the labour market.

## Rule 8: Income maintenance and social security

States are responsible for the provision of social security and income maintenance for persons with disabilities.

## Rule 9: Family life and personal integrity

States should promote the full participation of persons with disabilities in family life. They should promote their right to personal integrity and ensure that laws do not discriminate against persons with disabilities with respect to sexual relationships, marriage and parenthood.

## Rule 10: Culture

States will ensure that persons with disabilities are integrated into and can participate in cultural activities on an equal basis.

## Rule 11: Recreation and sports

States will take measures to ensure that persons with disabilities have equal opportunities for recreation and sports.

## Rule 12: Religion

States will encourage measures for equal participation by persons with disabilities in the religious life of their communities.

## Rule 13: Information and research

States assume the ultimate responsibility for the collection and dissemination of information on the living conditions of persons with disabilities and promote

comprehensive research on all aspects, including obstacles that affect the lives of persons with disabilities.

#### Rule 14: Policy-making and planning

States will ensure that disability aspects are included in all relevant policy-making and national planning.

#### Rule 15: Legislation

States have a responsibility to create the legal bases for measures to achieve the objectives of full participation and equality for persons with disabilities.

#### Rule 16: Economic policies

States have the financial responsibility for national programmes and measures to create equal opportunities for persons with disabilities.

#### Rule 17: Coordination of work

States are responsible for the establishment and strengthening of national coordinating committees, or similar bodies, to serve as a national focal point on disability matters.

#### Rule 18: Organizations of persons with disabilities

States should recognize the right of the organizations of persons with disabilities to represent persons with disabilities at national, regional and local levels. States should also recognize the advisory role of organizations of persons with disabilities in decision-making on disability matters.

#### Rule 19: Personnel training

States are responsible for ensuring the adequate training of personnel, at all levels, involved in the planning and provision of programmes and services concerning persons with disabilities.

#### Rule 20: National monitoring and evaluation of disability programmes in the implementation of the Rules

States are responsible for the continuous monitoring and evaluation of the implementation of national programmes and services concerning the equalization of opportunities for persons with disabilities.

#### Rule 21: Technical and economic cooperation

States, both industrialized and developing, have the responsibility to cooperate in and take measures for the improvement of the living conditions of persons with disabilities in developing countries.

#### Rule 22: International cooperation

States will participate actively in international cooperation concerning policies for the equalization of opportunities for persons with disabilities.



Picture by IDP Norway

#### Full version:

<http://www.un.org/esa/socdev/enable/dissre00.htm>

#### Further information:

<http://UN: www.un.org/disabilities/convention>  
<http://UN: www.un.org/esa/socdev/enable>

# UN Convention on the Rights of Persons with Disabilities

## Article 5: Equality and non-discrimination

1. States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law.
2. States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds. [...]
3. In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided.

## Article 7: Children with disabilities

1. States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.
2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration. [...]

## Article 9: Accessibility

1. To enable persons with disabilities to live independently and participate fully in all aspects of life [...]. These measures [...] shall apply to, inter alia:
  - a. Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;
  - b. Information, communications and other services, including electronic services and emergency services.
2. States Parties shall also take appropriate measures to:
  - a. Develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;
  - b. Ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;

- c. Provide training for stakeholders on accessibility issues facing persons with disabilities;
- d. Provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;
- e. Provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public; [...]
- g. Promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;
- h. Promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

## Article 19 - Living independently and being included in the community

States Parties to this Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:

- a. Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
- b. Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
- c. Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.



#### Article 24 - Education

1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and life long learning directed to:

- a. The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
- b. The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
- c. Enabling persons with disabilities to participate effectively in a free society.

2. In realizing this right, States Parties shall ensure that:

- a. Persons with disabilities are not excluded from the general education system on the basis of disability, [...]
- b. Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live; [...]
- e. Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:

- a. Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
- b. Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community; [...]

#### Article 25 - Health

[...] States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation. [...]

- 1. Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;
- 2. Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons;
- 3. Provide these health services as close as possible to people's own communities, including in rural areas; [...]
- 5. Prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance [...]



Full Version:  
<http://www.un.org/disabilities/convention/conventionfull.shtml>

# Indigenous and Tribal Peoples Convention

## Article 7

[...] 2. The improvement of the conditions of life and work and levels of health and education of the peoples concerned, with their participation and co-operation, shall be a matter of priority in plans for the overall economic development of areas they inhabit. Special projects for development of the areas in question shall also be so designed as to promote such improvement. [...]

## Article 25

1. Governments shall ensure that adequate health services are made available to the peoples concerned, or shall provide them with resources to allow them to design and deliver such services under their own responsibility and control, so that they may enjoy the highest attainable standard of physical and mental health.

2. Health services shall, to the extent possible, be community-based. These services shall be planned and administered in co-operation with the peoples concerned and take into account their economic, geographic, social and cultural conditions as well as their traditional preventive care, healing practices and medicines.

3. The health care system shall give preference to the training and employment of local community health workers, and focus on primary health care while maintaining strong links with other levels of health care services.

4. The provision of such health services shall be co-ordinated with other social, economic and cultural measures in the country.

## Article 26

Measures shall be taken to ensure that members of the peoples concerned have the opportunity to acquire education at all levels on at least an equal footing with the rest of the national community.

## Article 27

1. Education programmes and services for the peoples concerned shall be developed and implemented in co-operation with them to address their special needs, and shall

incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations.

2. The competent authority shall ensure the training of members of these peoples and their involvement in the formulation and implementation of education programmes, with a view to the progressive transfer of responsibility for the conduct of these programmes to these peoples as appropriate.

3. In addition, governments shall recognise the right of these peoples to establish their own educational institutions and facilities, provided that such institutions meet minimum standards established by the competent authority in consultation with these peoples. Appropriate resources shall be provided for this purpose.

## Article 28

1. Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong. When this is not practicable, the competent authorities shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective.

2. Adequate measures shall be taken to ensure that these peoples have the opportunity to attain fluency in the national language or in one of the official languages of the country.

3. Measures shall be taken to preserve and promote the development and practice of the indigenous languages of the peoples concerned.

## Article 29

The imparting of general knowledge and skills that will help children belonging to the peoples concerned to participate fully and on an equal footing in their own community and in the national community shall be an aim of education for these peoples.

### Article 30

1. Governments shall adopt measures appropriate to the traditions and cultures of the peoples concerned, to make known to them their rights and duties, especially in regard to labour, economic opportunities, education and health matters, social welfare and their rights deriving from this Convention.

2. If necessary, this shall be done by means of written translations and through the use of mass communications in the languages of these peoples.

### Article 31

Educational measures shall be taken among all sections of the national community, and particularly among those that are in most direct contact with the peoples concerned, with the object of eliminating prejudices that they may harbour in respect of these peoples. To this end, efforts shall be made to ensure that history textbooks and other educational materials provide a fair, accurate and informative portrayal of the societies and cultures of these peoples.

## United Nations Declaration on the Rights of Indigenous Peoples - 2007

<http://www.ohchr.org/english/issues/indigenous/docs/draftdeclaration.pdf>

### Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

### Article 6

Every indigenous individual has the right to a nationality.

### Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

### Article 22

1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.



Picture by Simon Baker

Full version - English:

<http://www.ohchr.org/english/law/indigenous.htm>

# Worst Forms of Child Labour Convention

## Article 3

For the purposes of this Convention, the term the worst forms of child labour comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

## Article 6

1. Each Member shall design and implement programmes of action to eliminate as a priority the worst forms of child labour.
2. Such programmes of action shall be designed and implemented in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of other concerned groups as appropriate.

## Article 7

1. Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention including the provision and application of penal sanctions or, as appropriate, other sanctions.
2. Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:
  - (a) prevent the engagement of children in the worst forms of child labour;
  - (b) provide the necessary and appropriate

direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;

- (c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;
- (d) identify and reach out to children at special risk; and
- (e) take account of the special situation of girls.

3. Each Member shall designate the competent authority responsible for the implementation of the provisions giving effect to this Convention.

### Additional Information:

Worst Forms of Child Labour  
Recommendation - 1999

<http://www.ilo.org/ilolex/cgi-lex/convde.pl?R190>

2. The programmes of action referred to in Article 6 of the Convention should be designed and implemented as a matter of urgency, in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of the children directly affected by the worst forms of child labour, their families and, as appropriate, other concerned groups committed to the aims of the Convention and this Recommendation. Such programmes should aim at, inter alia:

- (a) identifying and denouncing the worst forms of child labour;
- (b) preventing the engagement of children in or removing them from the worst forms of child labour, protecting them from reprisals and providing for their rehabilitation and social integration through measures which address their educational, physical and psychological needs;
- (c) giving special attention to:
  - i. younger children;
  - ii. the girl child;



- iii. the problem of hidden work situations, in which girls are at special risk;
  - iv. other groups of children with special vulnerabilities or needs;
- (d) identifying, reaching out to and working with communities where children are at special risk;
- (e) informing, sensitizing and mobilizing public opinion and concerned groups, including children and their families.

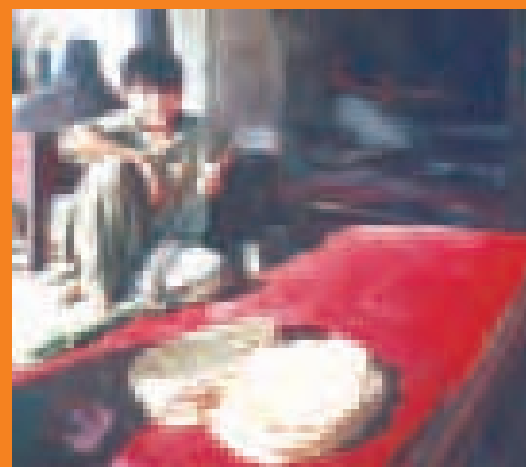
3. In determining the types of work referred to under Article 3(d) of the Convention, and in identifying where they exist, consideration should be given, inter alia, to:

- (a) work which exposes children to physical, psychological or sexual abuse;
- (b) work underground, under water, at dangerous heights or in confined spaces;
- (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

4. For the types of work referred to under Article 3(d) of the Convention and Paragraph 3 above, national laws or regulations or the competent authority could, after consultation with the workers' and employers' organizations concerned, authorize employment or work as from the age of 16 on condition that the health, safety and morals of the children concerned are fully protected, and that the children have received adequate specific instruction or vocational training in the relevant branch of activity.

12. Members should provide that the following worst forms of child labour are criminal offences:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; and
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties, or for activities which involve the unlawful carrying or use of firearms or other weapons.



Picture by IDP Norway

Full version:

<http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182>

<http://www.ilo.org/ilolex/cgi-lex/convde.pl?R190>

Further information:

ILO: <http://www.ilo.org>

ILO-IPEC: <http://www.ilo.org/public/english/standards/ipeec>

UNICEF: [http://www.unicef.org/protection/index\\_childlabour.html](http://www.unicef.org/protection/index_childlabour.html)

# Convention on the Elimination of All Forms of Discrimination against Women

## Article 5

States Parties shall take all appropriate measures:

- (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;
- (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

## Article 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.
2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

## Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

- (a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

- (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

- (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

- (d) The same opportunities to benefit from scholarships and other study grants;

- (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

- (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

- (g) The same Opportunities to participate actively in sports and physical education;

- (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

## Article 12

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

## Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- (a) The same right to enter into marriage;
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
- (c) The same rights and responsibilities during marriage and at its dissolution;
- (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
- (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
- (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;
- (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

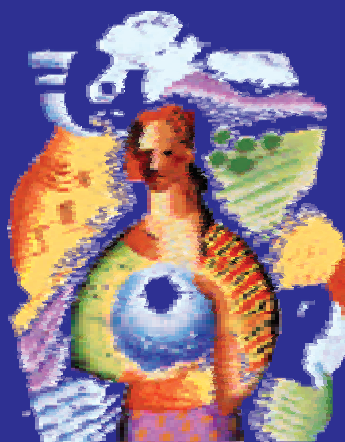
## Beijing Declaration of the 4<sup>th</sup> Conference on Women 1995

27. Promote people-centred sustainable development, including sustained economic growth, through the provision of basic education, life-long education, literacy and training, and primary health care for girls and women;

30. Ensure equal access to and equal treatment of women and men in education and health care and enhance women's sexual and reproductive health as well as education;

32. Intensify efforts to ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language, ethnicity, culture, religion, or disability, or because they are indigenous people;

34. Develop the fullest potential of girls and women of all ages, ensure their full and equal participation in building a better world for all and enhance their role in the development process.



Full version:

<http://www.ohchr.org/english/law/pdf/cedaw.pdf>

Further information:

UN: <http://www.un.org/womenwatch/daw/beijing/platform>

UN: <http://www.un.org/womenwatch/daw/beijing/index.html>

UNGEI: <http://www.ungei.org>

UNIFEM: <http://www.unifem.org>

UNFPA: <http://www.unfpa.org>

# The Kochi Declaration

We, delegates convening at the North-South Dialogue on Inclusive Education, an international conference at Kochi, Kerala, India, to advance a global agenda for inclusive education that is consistent with international commitments to *Education for All in the Dakar Framework for Action (2000)*, and the *Salamanca Statement: A Framework for Action (1994)*, affirm the following:

- Segregation is a violation of human rights. All children, including children with disability, have a fundamental human right to be included in mainstream local schools.
- *Education for All* will not be achieved without inclusion; inclusion will not be achieved outside Education for All.
- By inclusion we mean quality education for all, based on the principle of equal opportunities and access.
- To achieve inclusion, the systemic barriers people and learners face in accessing education - as a result of differences arising from religion, race, gender, poverty, class, caste, ethnicity, language, and disability - must be removed.
- The *Dakar Framework for Action*, signed by 164 governments in 2000, to ensure access to resources for Education for All, must be extended to encompass inclusive education.
- Government responsibility for education policy and provision must not be fragmented or disjointed. A single department should be responsible for the education of all children.

Concerned that *Education for All* commitments are not being sufficiently translated into policy and action, that assures inclusive education for all, delegates call on international bodies, national governments, local governments, NGOs, and all concerned to:

1. State clearly policy commitments for inclusive education within the broad framework of international and national policy commitments to Education For All.
2. Establish policy directives for restructuring education systems to ensure implementation of the principles outlined above.
3. Establish credible national plans of action for barrier removal and restructuring, time-bound by the EFA targets, that address key issues including:
  - a. Admissions policies
  - b. Criteria for success
  - c. Environments, educational practices and curricula, inclusive of, and responsive to, all learners
  - d. Capacity-building in mainstream systems to include all children
  - e. Professional development for all staff
  - f. Ending segregation in all schools
  - g. Formation of multi-agency, collaborative partnerships to support children, families, and schools
4. Ensure grassroots representation of children, parents, marginalized voices and groups, in education action planning and education policy decision making at all levels, from the national to the local.
5. Establish arrangements for adequate education investment from local, state, and national governments, international development bodies, and donor countries, which are based on policy benchmarks for inclusive education.
6. Create coalition movements and knowledge-sharing networks, and mobilize the media, to promote inclusion through information exchange and dissemination, and media sensitisation.
7. Support efforts for advocacy and public awareness about disability and other marginalized groups, and their rights to inclusion.



8. Establish and enforce monitoring mechanisms and regulations at the community, state, national, regional and international levels to ensure commitments to inclusive education are being delivered. These mechanisms must include representatives of marginalized groups.
9. National governments should take the lead in developing inclusive education action plans to implement the agenda and principles laid out in this Declaration, in consultation with civil society, including organizations representing marginalized groups.

The focus of North South Dialogue II has largely been on the inclusion of all disabled children and young people. All development initiatives by UNICEF, World Bank, other international agencies, and donor agencies must be disability sensitive. Only 2-3% of disabled children in the South are included in education. In the North and South countries segregating practices that dis-empower disabled people still prevail.

The voice of disabled people emphasising their shameful exclusion and isolation must

play a leading part in the struggle for inclusion of all in the education system.

To make inclusion possible all disabled people need access, empowerment and positive portrayal throughout the media. Barriers comprising negative attitudes, inaccessible buildings and communication, systems of teaching and learning, assessment and examinations, segregation and educational organisation, must be eradicated in a planned and funded programme. Blind and deaf learners, and those with communication needs must also have full access to inclusive education in their chosen form of communication (e.g. Braille, audio, sign).

We are aware that the knowledge already exists to overcome all these barriers and fully include all disabled students in mainstream education systems.

We call on national, state and local governments, and international and donor agencies, to take immediate action to implement the agenda presented in this Declaration, and ensure inclusive education for *all*.

January 31, 2003

*"In some countries, inclusive education is thought of as an approach to serving children with disabilities within general education settings. Internationally, however, it is increasingly seen more broadly as a reform that responds to diversity amongst all learners."*

Prof. Mel Ainscow, University of Manchester (International Symposium 09/2005)



Full version:

[http://ii.tomekklas.com/site\\_uploads/1119008867197086195.pdf](http://ii.tomekklas.com/site_uploads/1119008867197086195.pdf)

# SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia

## Article III Guiding Principles

[...] 1. State Parties to this Convention shall consider survival, protection, development and participatory rights of the child as a vital pre-requisite for:

- a. Accelerating the process of their peoples' realisation of human rights and fundamental freedoms, and
- b. Achieving economic and social development in South Asia.

2. States Parties shall reaffirm the right of the child to enjoy all rights and freedoms guaranteed by the national laws and regionally and internationally binding instruments.

3. States Parties consider the UN Convention on the Rights of the Child as a comprehensive international instrument concerning the rights and well being of the child and shall, therefore, reiterate their commitment to implement it.

4. States Parties shall uphold 'the best interest of the child' as a principle of paramount importance and shall adhere to the said principle in all actions concerning children.

5. States Parties, while recognising that the primary responsibility of looking after the well-being of the child rests with the parents and family, shall uphold the principle that the State has the right and authority to ensure the protection of the best interest of the child.

6. States Parties shall consider this Convention as a guiding force for all national laws and bilateral or multilateral agreements that are entered into the field of child welfare.

7. States Parties shall consider gender justice and equality as key aspirations for children, the realization of which, collectively by the governments, would enhance the progress of South Asia.

## Article IV Regional Priorities

[...] 2. Recognising basic services such as education, health care, with special attention to the prevention of diseases and malnutrition, as the cornerstone of child survival and development, [...] The policy shall focus on accelerating the progressive universalization of the child's access to the basic services and conditions.

3. States Parties shall ensure that appropriate legal and administrative mechanisms and social safety nets and defenses are always in place to:

- a. Ensure that their national laws protect the child from any form of discrimination, abuse, neglect, exploitation, torture or degrading treatment, trafficking and violence.
- b. Discourage entry of children into hazardous and harmful labour and ensure implementation of the Ninth SAARC Summit decision to eliminate the evil of child labour from SAARC region. [...]
- c. Admin juvenile justice in a manner consistent with the promotion of the child's sense of dignity and worth, and with the primary objective of promoting the child's reintegration in the family and society. [...]
- d. States Parties shall make civil registration of births, marriages and deaths, in an official registry, compulsory [...]

4. [...] State Parties shall encourage and support administrative and judicial institutions to arrange for suitable mechanisms at appropriate levels and in accordance with local customs and traditions, to provide opportunities and access for the child:

- a. Seek and receive information
- b. Express views, directly or through a representative, and receive due weight and consideration for them, in accordance with age and maturity, in all matters affecting them.
- c. Participate fully and without hindrance or discrimination in the school, family and community life.

## SAARC: Children and Youth

<http://www.saarc-sec.org/main.php?t=2.8.2>

The development of children and the promotion of their well-being is a principal area of cooperation identified by SAARC from its very inception. The objective of building a region-wide consensus on social action for achieving the rights of the child and the goals set for them within the framework of a survival, development and protection strategy was addressed during the three Ministerial Conferences on Children held in Delhi (1986), Colombo (1992) and Rawalpindi (1996). Following a decision of the Second Summit (Bangalore, November 1986) that the survival, protection and development of children be given the highest priority, annual reviews on the Situation of Children in SAARC countries were initiated in 1993. [...]

The Ninth Summit (Male', May 1997) gave heightened impetus to tackling the important issues relating to women and children. It resolved to implement appropriate policies at the national level to achieve the targets and objectives set out in the Rawalpindi Declaration adopted by the Third Ministerial Conference on Children (August, 1996). [...]

Welcoming the signing of the Convention, at their Eleventh Summit (Kathmandu, January 2002), the Leaders reaffirmed their conviction that children in South Asia deserve urgent and focused attention to achieve the overall progress of the countries in the region. That Summit, therefore, directed the Council of Ministers to take necessary measures to ensure the enjoyment by girl child of her inherent potential and to take concrete steps to give priority to investing in children as an effective means for poverty reduction in the long run.

The Eleventh Summit also agreed to mobilize necessary resources and to intensify broad-based actions to achieve a set of priority

goals in improving the status of children, such as polio eradication; protection of children from mother-to-child transmission of HIV/AIDS; and quality basic education to children.

The Year 1990 was observed as the SAARC Year of the Girl Child and the decade of 1991-2000 was designated as the SAARC Decade of the Girl Child. The decade from 2001 to 2010 is being observed as the SAARC Decade of the Rights of the Child. [...]

Issues related to Youth in the region have also been given due priority. Ministerial Conference on Youth in South Asia was held in Maldives in May 1994 to address the problem of the youth and focus on the broad theme of youth and development. Another SAARC Youth Conference would be held in India in 2006, to look at the youth related problems in South Asia.

The Year 1994 was designated as the "SAARC Year of Youth". In 1995, the SAARC Youth Resolution was adopted to advance the overall development of Youth in the region. SAARC Youth Award Scheme was instituted in 1996 to provide recognition to extraordinary young talents. [...]



Picture by Els Heijnen

Full version:

SAARC: <http://www.saarc-sec.org/old/freepubs/conv-children.pdf>

Further information:

UNICEF Report - State of the SAARC Child:

[http://www.un.org.np/reportlibrary/table\\_metadata.php?mid=399](http://www.un.org.np/reportlibrary/table_metadata.php?mid=399)

SAARC: <http://www.saarc-sec.org>

# Excerpts from National Constitutions and Strategies

## Afghanistan

### Constitution

[http://www.jemb.org/eng/Legal%20Framework/Legislation%20of%20Reference/Constitution/Constitution%20\(English\).pdf](http://www.jemb.org/eng/Legal%20Framework/Legislation%20of%20Reference/Constitution/Constitution%20(English).pdf)

#### Article 7

The United Nations Charter, inter-state agreements, as well as international treaties to which Afghanistan has joined, and the Universal Declaration of Human Rights shall be respected.

#### Article 17

In order to foster education at all levels, develop religious teachings, regulate and improve the conditions of mosques, religious schools as well as religious centers, the state shall adopt necessary measures.

#### Article 22

Any kind of discrimination and distinction between citizens of Afghanistan shall be forbidden. The citizens of Afghanistan, man or women, have equal rights and duties before the law.

#### Article 52

The state shall provide free preventative healthcare and treatment of diseases as well as medical facilities to all citizens in accordance with the provisions of the law. Establishment and expansion of private medical services as well as health centres shall be encouraged and protected by the state in accordance with the provisions of the law. The state shall adopt necessary measures to foster physical education and national as well as local sports.

#### Articles 53

To regulate medical services as well as financial aid to survivors of martyrs and missing persons, and, for the reintegration of the disabled and handicapped and their active participation in the society, the state shall adopt necessary measures with

accordance to the law. The state shall guarantee the rights of retirees, and shall render necessary aid to the elderly, women without caretakers, disabled and handicapped as well as poor orphans in accordance with the provisions of the law.

## Bangladesh

### Constitution

<http://www.pmo.gov.bd/constitution>

#### 15. Provision of basic necessities.

It shall be a fundamental responsibility of the State to attain, through planned economic growth, a constant increase of productive forces and a steady improvement in the material and cultural standard of living of the people, with a view to securing to its citizens

1. the provision of the basic necessities of life, including food, clothing, shelter, education and medical care; [...]

#### 17. Free and compulsory education.

The State shall adopt effective measures for the purpose of -

1. establishing a uniform, mass-oriented and universal system of education and extending free and compulsory education to all children to such stage as may be determined by law;
2. relating education to the needs of society and producing properly trained and motivated citizens to serve those needs;
3. removing illiteracy within such time as may be determined by law.

#### 28. Discrimination on grounds of religion, etc.

(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth.

(2) Women shall have equal rights with men in all spheres of the State and of public life.

(3) No citizen shall, on grounds only of religion, race, caste, sex or place of birth be subjected to any disability, liability,



restriction or condition with regard to access to any place of public entertainment or resort, or admission to any educational institution.

## Bhutan

### Education Sector Strategy

<http://www.education.gov.bt/Publications/Edn%20Sector%20Strategy.pdf>

2.10 The social and physical environment is the most important pre-condition for child development. The ECCD programme should, therefore, be a synergistic initiative involving the sectors and institutions engaged in the delivery of health, nutrition, water, sanitation, housing, labour and education programmes. While the enabling physical and social preconditions will be addressed through a multi-sector programming framework, a priority ECCD programme of the Education Ministry will deal mainly with the issue of children's cognitive, emotional and social development.

3.15 Primary education will be expanded to provide access to children within one hour's walking distance of their homes. This will be made possible through the expansion of the community primary schools programme which has already brought shared responsibility and accountability in education between the government and the people. [...]

3.20 Education at the primary level will continue to be free. [...]

8.1 All children with disabilities and with special needs - including those with physical, mental and other types of impairment - will be able to access and benefit from education. This will include full access to the curriculum, participation in extra-curricular activities and access to cultural, artistic, recreational and leisure activities. The programme will be supported by trained and qualified personnel using teaching strategies

responsive to different learning styles to ensure effective learning. Teacher training will be re-oriented as a means of achieving these objectives.

8.2 Children with disabilities and those with special needs will, to the greatest extent possible, be able to attend a local school where they will receive quality education alongside their non-disabled peers. The provision of education should not take children away from their families and local communities. Maximum participation by parents should be secured in order to achieve partnership in education. Children with disabilities who spend time away from home in educational boarding facilities shall be ensured inclusive education and safety. Institutes of higher learning will be equally accessible to disabled young people.

## India

The Constitution (93<sup>th</sup> Amendment) Act, 2005 [20<sup>th</sup> January 2006]

<http://indiacode.nic.in/coiweb/amend/amend93.htm>

15.

Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

(2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to-

(a) access to shops, public restaurants, hotels and places of public entertainment; or

(b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public.

(3) Nothing in this article shall prevent the State from making any special provision for women and children.

(4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

(5) Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes or the Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30.

**The Constitution (86<sup>th</sup> Amendment) Act, 2002 [12<sup>th</sup> December 2002]**  
<http://indiacode.nic.in/coiweb/amend/amend86.htm>

21A.

The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.

## Maldives

### Constitution

[http://www.icrc.org/ihl-nat.nsf/162d151af444ded44125673e00508141/92e92f41288e8eddc125713000364a1e/\\$FILE/Constitution%20Maldives%20-%20EN.pdf#search=%22constitution%20of%20maldives%22](http://www.icrc.org/ihl-nat.nsf/162d151af444ded44125673e00508141/92e92f41288e8eddc125713000364a1e/$FILE/Constitution%20Maldives%20-%20EN.pdf#search=%22constitution%20of%20maldives%22)

13.

Maldivian citizens are equal before and under the law and are entitled to the equal protection of the law.

19.

Persons shall be free to acquire knowledge and to impart knowledge provided that such acquisition and imparting of knowledge does not contravene law.

## Nepal

### Constitution

[http://www.nepalmonarchy.gov.np/constitution/constitution\\_list\\_TextOnly.php](http://www.nepalmonarchy.gov.np/constitution/constitution_list_TextOnly.php)

11. Right to Equality:

(1) All citizens shall be equal before the law. No person shall be denied the equal protection of the laws.

(2) No discrimination shall be made against any citizen in the application of general laws on grounds of religion (dharma), race (varya), sex (li\_ga), caste (jât), tribe (jâti) or ideological conviction (vaicârik) or any of these.

(3) The State shall not discriminate among citizens on grounds of religion, race, sex, caste, tribe, or ideological conviction or any of these. Provided that special provisions may be made by law for the protection and advancement of the interests of women, children, the aged or those who are physically or mentally incapacitated or those who belong to a class which is economically, socially or educationally backward.

(4) No person shall, on the basis of caste, be discriminated against as untouchable, be denied access to any public place, or be deprived of the use of public utilities. Any contravention of this provision shall be punishable by law.

(5) No discrimination in regard to remuneration shall be made between men and women for the same work.

18. Cultural and Educational Right:

(1) Each community residing within the Kingdom of Nepal shall have the right to preserve and promote its language, script and culture.

(2) Each community shall have the right to operate schools up to the primary level in its own mother tongue for imparting education to its children.

## Pakistan

### Constitution

<http://www.pakistani.org/pakistan/constitution/>

22.

(1) No person attending any educational institution shall be required to receive religious instruction, or take part in any religious ceremony, or attend religious worship, if such instruction, ceremony or worship relates to a religion other than his own.

(2) In respect of any religious institution, there shall be no discrimination against any community in the granting of exemption or concession in relation to taxation.

(3) Subject to law:

(a) no religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any educational institution maintained wholly by that community or denomination; and

(b) no citizen shall be denied admission to any educational institution receiving aid from public revenues on the ground only of race, religion, caste or place of birth.

(4) Nothing in this Article shall prevent any public authority from making provision for the advancement of any socially or educationally backward class of citizens.

25.

(1) All citizens are equal before law and are entitled to equal protection of law.

(2) There shall be no discrimination on the basis of sex alone.

(3) Nothing in this Article shall prevent the State from making any special provision for the protection of women and children.

## Sri Lanka

### Constitution

<http://www.priu.gov.lk/Cons/1978Constitution/Introduction.htm>

12.

(1) All persons are equal before the law and are entitled to the equal protection of the law.

(2) No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any such grounds:

- Provided that it shall be lawful to require a person to acquire within a reasonable time sufficient knowledge of any language as a qualification for any employment or office in the Public, Judicial or Local Government Service or in the service of any public corporation, where such knowledge is reasonably necessary for the discharge of the duties of such employment or office:
- Provided further that it shall be lawful to require a person to have sufficient knowledge of any language as a qualification for any such employment of office where no function of that employment or office can be discharged otherwise than with a knowledge of that language.

(3) No person shall, on the grounds of race, religion, language, caste, sex or any one such grounds, be subject to any disability, liability, restriction or condition with regard to access to shops, public restaurants, hotels, places of public entertainment and places of public worship of his own religion.

(4) Nothing in this Article shall prevent special provision being made, by law, subordinate legislation or executive action, for the advancement of women, children or disabled persons.



United Nations  
Educational, Scientific and  
Cultural Organization

UNESCO Bangkok  
HIV/AIDS Coordination and School Health Unit

# Compendium

Conventions and Laws Guaranteeing All Children  
the Equal Right to a Quality Education in an Inclusive Setting  
South Asia - 2 Edition

